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12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 AMANY SIMMONDS, an Individual

SACV 18-01280 JVS(JDEx)

16 Plaintiff,

17 v

18 WELLS FARGO BANK, N.A.,

19 Defendant
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TEMPORARY RESTAINING ORDER and

ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION

The Ex Parte Application of Plaintiff Amany Simmonds, having been
brought before this Court, and the Court having considered the Application

1 and the supporting Declarations filed in connection with the Application and
2 found that good cause exists therefor,
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5 **IT IS HEREBY ORDERED:**

6 **TEMPORARY RESTRAINING ORDER**

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8 1. Pending the hearing on and disposition of this Court's Order to
9 Show Cause as set forth below, Defendant Wells Fargo Bank, N.A.
10 ("Defendant"), and its officers, agents, servants, employees, attorneys and
11 those persons in active concert or participation with them, are hereby
12 enjoined and restrained from pursuing or proceeding with the foreclosure
13 and Trustee's Sale pursuant to Notice of Trustee Sale, Instrument #
14 2018000282277, of Plaintiff's property located at 11 Style Drive, Aliso
15 Viejo, California, (the "Property"), now scheduled for 12:00 P.M. on
16 Tuesday, September 11, 2018;
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20 2. In addition, this Defendant is also enjoined and restrained from
21 selling, attempting to sell or otherwise exercising or seeking to exercise any
22 and all judicial and/or non-judicial foreclosure rights under that certain Deed
23 of Trust with Plaintiff as Trustor and World Savings Bank, FSB, as the
24 purported beneficiary, as recorded on or about March 16, 2007, and as
25 purportedly "assigned" to Wells Fargo Bank, N.A.
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1 **ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION**

2 Defendant Wells Fargo is hereby ordered to appear before this Court, in
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4 Courtroom 10C, located at 411 West 4th Street, Santa Ana, California, at
5 9:00 A.M., on September 21, 2018, and there and then to show cause, if any
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7 they have, why they, and each of them, should not be restrained and
8 enjoined during the pendency of this lawsuit, from pursuing or proceeding,
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10 either itself or through any affiliate or agent, with the foreclosure and
11 Trustee's Sale of Plaintiff's Property and from selling or attempting to sell
12 Plaintiff's Property at a public sale or otherwise.
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14 **EFFECTIVE DATE**

15 The above Temporary Restraining Order is effective immediately
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17 **BRIEFING SCHEDULE**

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19 A copy of this Order shall be served on counsel for the Defendants or
20 directly on the Defendants if their counsel is unknown, by facsimile, email
21 or overnight delivery service by no later than 5:00 P.M. on September 10,
22 2018.
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24 Any additional supporting authorities and declarations must be filed and
25 served no later than September 12, 2018.
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1 Any opposition papers shall be filed and served no later than September 17,
2 2018.

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5 Any reply papers shall be filed and served no later than noon September 19,
6 2018.

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9 All documents shall be served by personal delivery or overnight delivery.
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11 **IT IS SO ORDERED.**

12 Dated: September 7, 2018

13 
14 Honorable James V Selna
15 United States District Judge
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